

REMARKS

1. The Applicant expresses his appreciation to the Examiner for the diligence shown in the examination of this application.
2. Reconsideration of the application as amended is respectfully requested.
3. A Supplemental Oath (Appendix 2 to this paper) has been filed to address objections to the original Oath as stated by the Examiner. Note the title change to "Umbrella Carrying Case" in the Supplemental Oath to more clearly describe the claimed invention.
4. The objections to non-formalities in the arrangement of the specification and the abstract are noted. The Applicant submits that these objections will be corrected upon allowance of the claims.
5. Claim 1 has been amended and claims 2-5 have been cancelled and replaced by new dependent claims 6-13. These claims are all submitted to be patentable over the cited references because they (1) recite novel structure and thus distinguish physically over every reference (section 102) and (2) the physical distinctions effect new and unexpected results, thereby indicating that the physical distinctions are unobvious under section 103.
6. Claims 1-5 were rejected under 35 U.S.C. Section 112. Specifically, the claims were stated to be indefinite and incomplete for omitting essential elements. The Applicant submits that claim 1, as amended, and new dependent claims 6-13 clearly define the invention.
7. Claims 1-5 were rejected under 35 U.S.C. section 102(b) as being anticipated by Jackson ('807). Jackson discloses an umbrella holder having a tubular sheath and supported from the shoulder of the user.

The Claims Recite Novel Physical Features And Structure And Hence Make The Claims Patentable Under Section 102(b).

8. The Applicant submits that independent claim 1, as amended, recites novel physical features and structure and hence makes the claim patentable under section 102(b).

9. Specifically, the disclosure of a conically shaped outer sleeve of an umbrella bag having an outer sleeve and an inner waterproof lining is novel over the cited and relied-upon Jackson reference. The inner sleeve 20, stiffener 21 and outer sleeve 22 as taught by Jackson are cylindrical, not conical as disclosed and claimed in the instant invention. Neither does Jackson disclose the inner liner as being of a waterproof material.

The Novel Physical Features Of The Claims Provide New and Unexpected Results And Hence Should be Considered Unobvious, Making the Claims Patentable Under Section 103.

10. The Applicant submits that independent claim 1, as amended provides new and unexpected results and hence should be considered unobvious, making the claim patentable under section 103.

11. Specifically, the conically shaped outer sleeve and an inner waterproof lining provide a more-secure structure for supporting the folded umbrella. The conical shape means that the umbrella fits better in the case and is less likely to rattle or fray in the bag. The conical shape also provides a more efficient means for drainage of moisture within the waterproof inner lining, allowing drainage of smaller quantities of accumulated water than with a cylindrical shape. The use of a waterproof inner lining protects the decorative outer sleeve from damage, allowing a wider variety of outer sleeve materials and designs. This seemingly small improvement in multi-layer umbrella bags provides a more functional, low-cost and highly fashionable bag.

Reference Take Different Approach

12. The Jackson reference teaches a cylindrical stiffener that ensures maintaining of the cylindrical shape. Since it teaches away from the conical shape of the present invention, it would not be logical to combine with other references or otherwise suggest a multi-layered conically shaped bag.

The Cited But Non-Applied References

13. These subsidiary references have been noted and reviewed, but are submitted to be less relevant than the relied upon references.

The Dependent Claims Are A-fortiori Patentable

14. The dependent claims add additional novel features and thus are submitted to be, a-fortiori, patentable. For example, the pouch pocket for personal items of claim 8, pouch pocket located between the outer sleeve and inner lining of claim 9, pocket opening in the outer sleeve of claim 10, detachable pouch pocket of claim 11, and strap attachment structure of dependent claims 12 and 13 are novel features not disclosed in the cited and relied upon reference.

Allowance Requested

15. For the above reasons, the Applicant submits that the "Umbrella Carrying Case" disclosed and claimed in the present application is not taught by any of the references of record, taken either alone, or in combination. Therefore, allowance of the present application is in order and respectfully requested.

Request For Constructive Assistance

The undersigned has made a diligent effort to amend the claims of this application so that they define novel structure and render the claimed structure unobvious because it produces new and unexpected results. If for any reason the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to MEP 707.07(j) and MEP 706.03 (d) in order that this application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Very Respectfully,



Kenneth S. Watkins, Jr.

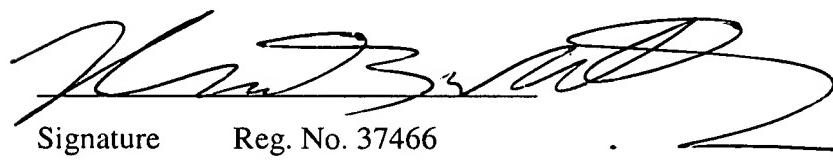
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